

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

WARREN EASLEY,	:	
	:	CIVIL ACTION
Plaintiff	:	
	:	
v.	:	NO. 23-cv-1718
	:	
JOHN WETZEL, et. al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 23rd day of July, 2024, upon consideration of the Commonwealth Defendants' Motion to Partially Dismiss Plaintiff's Complaint (ECF No. 22), and Plaintiff Warren Easley's Response in Opposition, it is hereby **ORDERED** that, for the reasons set forth in the accompanying Memorandum, the Motion is **GRANTED IN PART** and **DENIED IN PART**, and the following claims are **DISMISSED with prejudice**:

1. All of Plaintiff's claims against the Commonwealth Defendants in their official capacities.
2. Plaintiff's Eighth Amendment medical care claims against Defendants Bianco and Trinh.
3. Plaintiff's Eighth Amendment claim arising out of the April 8, 2015 assault.
4. Plaintiff's Eighth and Fourteenth Amendment substantive due process claims arising out of his placement on the Restrictive Relief List and confinement in the Intensive Management Unit.

5. Plaintiff's First and Fourteenth Amendment claims arising out of the withholding of magazines.

6. Plaintiff's state law claim for conversion of property.

7. Plaintiff's claim for punitive damages.

In all other respects, the Commonwealth Defendants' Motion is **DENIED**.

BY THE COURT:

/s/ Mitchell S. Goldberg

Mitchell S. Goldberg, J.